



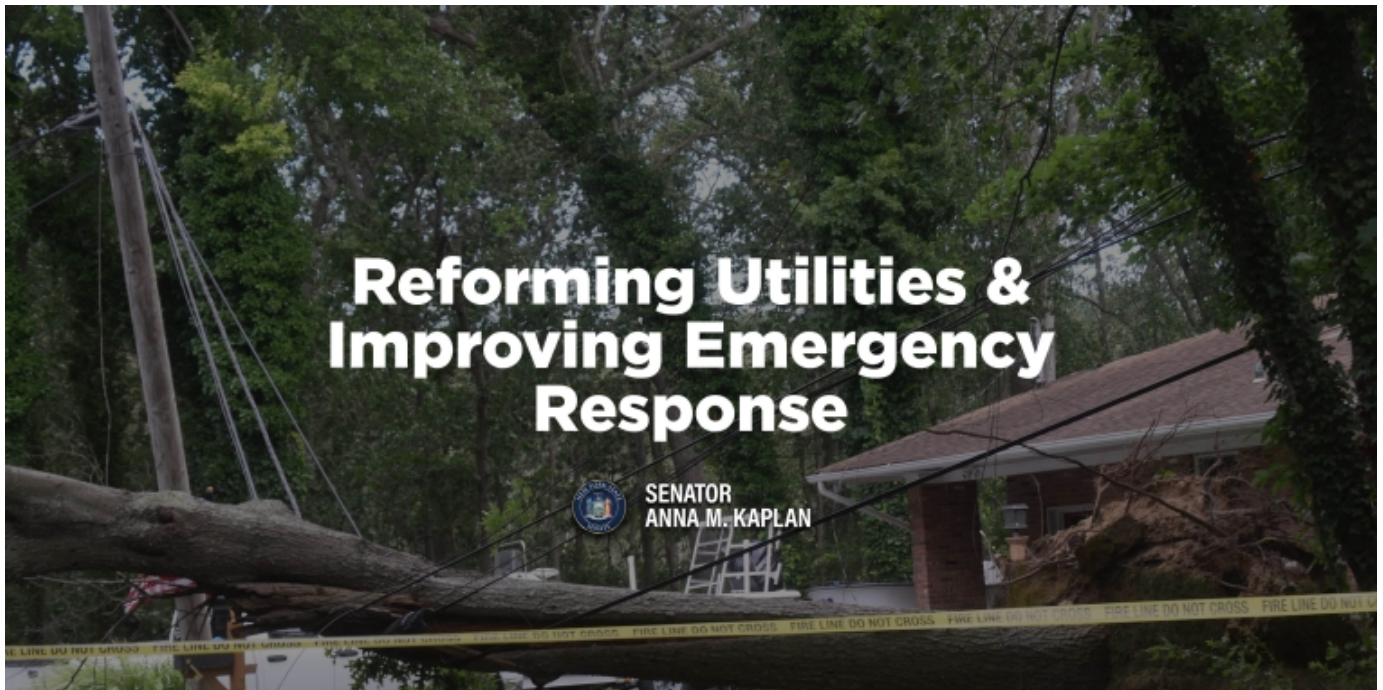
NEW YORK STATE SENATOR

Anna M. Kaplan

## Senator Kaplan Passes Utility Reform Legislation In Response To Failures By PSEG-LI

SENATOR ANNA M. KAPLAN February 23, 2021

| ISSUE: [PROTECTING UTILITY RATEPAYERS](#), [UTILITY REFORM](#), [PSEG LONG ISLAND](#), [OPTIMUM](#)



(Carle Place, NY) Today, **Senator Anna M. Kaplan** (D-Great Neck) passed legislation to reform the way that utilities respond during an outage to prioritize those with special needs, and ensure that residents aren't forced to pay for services that they don't receive during an outage. The bills passed as part of a legislative package supported by Senator Kaplan to get tough on utilities that failed in the wake of Tropical Storm Isaias in August, 2020, bringing

more transparency and accountability to utilities like PSEG-LI, LIPA, and Altice.

**Senator Anna M. Kaplan** said "PSEG-LI and Altice put Long Islanders through hell this past August when they completely failed in their response to Tropical Storm Isaias. It's clear that these utilities need strict guardrails and consumer protections in place to ensure we don't go through a situation like that ever again, and the passage of today's legislative package is the next step in our continuing efforts to protect Long Islanders and ensure our utilities are prepared for the next storm that hits."

**Legislation authored by Senator Kaplan that passed today include:**

- **Setting Standards For Medical Priority Situations:** This bill, [S.931A](#) sponsored by Senator Anna Kaplan, creates a definition for medical needs that encompasses a realistic list of situations that demand priority restoration in an emergency to prevent a rapid and significant decline in a person's health and well-being. Currently there is no standard to recognize that many medical conditions can be significantly triggered or exacerbated by a continued loss of power and that such conditions will have a significant adverse impact on that individual.
- **No Service, No Charge:** This bill, [S.929B](#) sponsored by Senator Anna Kaplan, will provide consumers with a bill discount when a contracted service provider fails to provide the agreed upon service.

"In the aftermath of Tropical Storm Isaias, I received dozens of calls from constituents who needed electricity to power their life-sustaining medical equipment, but who apparently were not considered an urgent priority for help by PSEG-LI. We can't leave people in the dark when their lives are on the line, and I'm proud to have introduced legislation that will ensure vulnerable New Yorkers are given priority, and treated with care during an emergency," said **Senator Anna M. Kaplan**. "Additionally, if a customer is dealing with an extended service

outage through no fault of their own, the utility shouldn't be charging them for the time that they had no service. My 'no service, no charge' bill will ensure ratepayers don't foot the bill for their time in the dark, and it will incentivize utilities to restore service more quickly."

**Additional utility reform legislation passed by the Senate Majority, and supported by Senator Kaplan, includes:**

- **Utility Moratorium:** This bill, [S.1453A](#) sponsored by Senator Kevin Parker, will extend the moratorium on utility shut-offs until December 31<sup>st</sup>, 2021, or the COVID-19 state of emergency is lifted or expires.
- **Protecting Customers Lobbying Costs:** This bill, [S.1556](#) sponsored by Senator Kevin Parker, will protect utility customers from unknowingly paying for lobbying activity, including for political activity that may influence policies that go against the best interest of the customers.
- **Utility Consumer Advocacy in the Public Service Commission :** This bill, [S.1199](#) sponsored by Senator Michael Gianaris, will require at least one commissioner of the public service commission to have experience in advocating in the interests of utility consumers.
- **Emergency Response Plan Requirement:** This bill, [S.968](#) sponsored by Senator James Gaughran, will establish the criteria for the Long Island Power Authority and its service provider's emergency response plans, and subject them to review, approval and enforcement by the Public Service Commission.
- **Stronger Utility Storm Response:** This bill, [S.4960](#) sponsored by Senator Shelley Mayer, will remove restrictions on the Public Service Commission's ability to penalize utility company violations and will enhance oversight of utilities to ensure improved storm planning and response.
- **Professional Engineer Approval Requirement:** This bill, [S.544](#) sponsored by Senator Todd Kaminsky, will require a professional engineer to review and approve a gas infrastructure

project to prevent public utility accidents from occurring in New York.

- **Public Statements of Compensation:** This bill, [S.1544A](#) sponsored by Senator Todd Kaminsky, will require large utility companies to publicly report the annual pay of their top employees.
- **Reimbursement for Lost Food or Medicine:** This bill, [S.3784A](#), sponsored by Senator Leroy Comrie, will provide a customer reimbursement for lost food or medicine due to an extended power outage.

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#### RELATED LEGISLATION

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### **2021-S1453A**

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor

- Signed By Governor

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Relates to extending a moratorium on utility termination of services after the COVID-19 state of emergency is lifted or expires

January 12, 2021

Signed by Governor

Sponsored by **Kevin S. Parker**

Do you support this bill?

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## 2021-S1556

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor

- Signed By Governor

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Relates to utility membership dues used for lobbying activities

January 13, 2021

Signed by Governor

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

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## 2021-S931A

emergency storm response, Storm Recovery, storm resiliency, PSEG Long Island; Consumer Protection; Disaster Preparedness; Tropical Storm Isaias; Power Outages

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- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate

- Delivered to Governor
- Signed By Governor
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Defines medical needs for essential electricity and requires certain service providers to have outreach plans for customers with essential electricity medical needs

January 05, 2021

Senate Floor Calendar

Sponsored by [Anna M. Kaplan](#)

Do you support this bill?

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## 2021-S929B

LIPA, LIPA energy long island power authority, Energy, PSEG Long Island; Consumer Protection; Disaster Preparedness; Tropical Storm Isaias; Power Outages

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- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Provides a reimbursement to small businesses and residential consumers of certain utilities for failure to provide contracted services; requires the Long Island power authority to do the same

January 05, 2021

In Senate Committee [Energy and Telecommunications](#)

Sponsored by [Anna M. Kaplan](#)

Do you support this bill?

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## 2021-S1199

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly



- On Floor Calendar Senate

- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Requires that at least one commissioner of the public service commission have experience in utility consumer advocacy

January 08, 2021

Signed by Governor

Sponsored by **Michael Gianaris**

Do you support this bill?

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## 2021-S968

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- Introduced

- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly

- On Floor Calendar Senate

- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to requiring service providers to prepare and submit emergency response plans

January 05, 2021

Passed Assembly

Sponsored by **James Gaughran**

Do you support this bill?

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## 2021-S4960

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- Introduced

- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly

- On Floor Calendar Senate

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- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to strengthening of utility storm response and compliance

February 19, 2021

In Assembly Committee

Sponsored by [Shelley B. Mayer](#)

Do you support this bill?

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## 2021-S544

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Requires certain engineering plans that could pose a material risk to public safety to bear a stamp of approval of a professional engineer

January 04, 2021

In Senate Committee [Energy and Telecommunications](#)

Sponsored by [Todd Kaminsky](#)

Do you support this bill?

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## 2021-S1544A

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- Introduced
- ◦ In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to requiring a compensation statement by certain public utility corporations and service providers

January 13, 2021

Signed by Governor

Sponsored by **Todd Kaminsky**

Do you support this bill?

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## 2021-S3784A

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Requires utility companies to reimburse consumers in the event of a prolonged power outage

January 30, 2021

In Senate Committee [Energy and Telecommunications](#)

Sponsored by [Leroy Comrie](#)

Do you support this bill?